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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

CLERK
LOUISIANA
LAFAYETTE DIVISION

DOREL ROMAN

CIVIL ACTION NO.: 07-1516

VERSUS

JUDGE DOHERTY

WESTERN MANUFACTURING, INC., ET AL

MAGISTRATE JUDGE METHVIN

MEMORANDUM RULING

Currently pending before this Court is a Motion for Summary Judgment, filed on behalf of defendant, Machine Technologies, L.L.C. ("Machine Technologies"). [Doc. 45] In the motion, Machine Technologies seeks dismissal of the products liability claim filed against it by plaintiff, on the basis that "the Louisiana Products Liability Act [La. R.S. 9:2800.51 *et seq.*] only applies to manufacturers, and thus Machine Technologies, as a mere seller of the Predator Pump cannot be held liable under the circumstances." [Doc. 45, p.3] As the motion appears to be well-founded in law and fact, and because no party opposes the motion, the Court hereby GRANTS Machine Technologies' Motion for Summary Judgment, and plaintiff's products liability claim against Machine Technology is DISMISSED WITH PREJUDICE.

THUS DONE AND SIGNED in Lafayette, Louisiana; this 6 day of March, 2009.

REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE